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UBER TECHNOLOGIES, INC.;
RASIER, LLC; and RASIER-CA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF DANIEL
CUMMINGS IN SUPPORT OF
DEFENDANTS' STATEMENT IN
SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIALS SHOULD BE
SEALED [ECF No. 2165]**

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

DECLARATION OF DANIEL CUMMINGS IN SUPPORT OF DEFENDANTS' STATEMENT IN SUPPORT OF
PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIALS
SHOULD BE SEALED [ECF NO. 2165]

DECLARATION OF DANIEL CUMMINGS

I, Daniel Cummings, having personal knowledge of the following state:

1. I am an attorney at the law firm of Shook, Hardy & Bacon LLP, attorneys of record for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC, (collectively, “Uber”). I am a member in good standing of the Bars of the States of Missouri, Kansas, and Nebraska. I know the following facts to be true of my own knowledge, except those matters stated to be based on information and belief, and if called to testify, I could competently do so. I respectfully submit this declaration in support of Uber’s Statement in Support of Plaintiffs’ Administrative Motion to Consider Whether Another Party’s Material Should Be Filed Under Seal, ECF No. 2165, (“Uber’s Statement”).

2. I have reviewed the unredacted Portions of the parties’ Joint Letter Brief re: TAR Validation (ECF 2165). The redacted portions of this document consist of summaries of highly confidential, internal, non-public business operations, strategies, and research, including dates and program names. Courts routinely seal confidential business information under the good cause standard, such as business plans. *Blockchain Innovation, LLC v. Franklin Resources, Inc.*, 2024 WL 4394758, at *3 (N.D. Cal. 2024) (sealing documents containing confidential information on “internal business strategy and corporate decisionmaking, as well as internal budgeting and finances”); *Jones v. PGA Tour, Inc.*, 2023 WL 7440303, at *2 (N.D. Cal. 2023) (sealing document containing confidential information on, among other things, “strategic launch plans; financials; internal decision-making processes”); *Skillz Platform Inc. v. AviaGames Inc.*, 2023 WL 6135556, at *2 (N.D. Cal. 2023) (sealing confidential information such as “internal business plans and propriet[ar]y information about a [party’s] products”). No other redactions were made to this document.

3. The disclosure of the above-described documents could harm Uber’s competitive standing and legitimate business interests. By their nature, confidential internal research and business plans would be undermined if publicly disclosed to competitors. No less restrictive alternative to sealing the un-redacted documents would protect Uber’s competitive standing and legitimate business interests as the document has already been narrowly redacted.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2025.

By: /s/ Daniel Cummings

Daniel Cummings